
OLR Bill Analysis

HB 6542 (as amended by House "A")*

AN ACT CONCERNING THE PRESERVATION OF FARMLAND AT THE SOUTHBURY TRAINING SCHOOL.

SUMMARY:

This bill establishes a procedure to preserve and manage state-owned property known as the "Farm at the Southbury Training School." It requires the Department of Developmental Services (DDS) commissioner to transfer the care, custody, and control of the property to the Department of Agriculture (DOAG) commissioner, who must grant a permanent conservation easement on it to a nonprofit organization.

The bill specifies that the easement must (1) provide for conservation of the farm for agricultural use, conducted according to a federally prepared and DOAG-approved conservation plan, and (2) allow the DOAG commissioner to lease, permit, or license farm property for such use. The proposed easement and any proposed DOAG lease, permit, or license is subject to State Properties Review Board (SPRB) review and approval.

The bill exempts the leased, permitted, or licensed property from local property taxes and adds its value to the assessed value of state-owned land and buildings for calculating state payments in lieu of taxes. By law, the state must reimburse towns for 45% of their lost revenue from state-owned property.

*House Amendment "A" requires the easement to provide that all agricultural activity conducted on the farm be done according to a federally prepared and DOAG-approved conservation plan.

EFFECTIVE DATE: Upon passage

SOUTHBURY TRAINING SCHOOL PROPERTY

Transfer and Easement

The bill requires the DDS commissioner to transfer the care, custody, and control of the land and buildings that comprise the “Farm at the Southbury Training School” to the DOAG commissioner. The DOAG commissioner must obtain a survey of the property that conforms to a horizontal Class A-2 (boundary) survey.

The DOAG commissioner must grant a permanent conservation easement on the property, based on the survey, to a nonprofit organization whose mission includes protecting agricultural lands for agricultural use.

The easement must:

1. provide for conservation of the farm for agricultural use;
2. allow the DOAG commissioner to lease, permit, or license any part of the farm to one or more people for agricultural uses; and
3. provide that all agricultural activity conducted on the farm be done according to a conservation plan (a) prepared by the U.S. Department of Agriculture’s Natural Resources Conservation Service (NRCS) and (b) approved by the DOAG commissioner.

The bill requires the conservation plan to provide for farm management that is consistent with (1) generally accepted agricultural practices, including those identified in the NRCS Field Office Technical Guide, and (2) protecting the farm’s agricultural and conservation values. The plan must be updated periodically and when the farm’s agricultural operation changes.

Under the bill, the leases, permits, or licenses must (1) be for a term of up to 15 years and (2) comply with the permanent conservation easement. They are renewable for up to 15 years.

State Properties Review Board Review

The bill requires SPRB to review and approve the permanent conservation easement and any lease, permit, or license of the land.

The board must complete its review within 30 days after receiving the proposed easement or any proposed lease, permit, or license from the DOAG commissioner.

BACKGROUND

Related Bill

sHB 6672 (File 638), reported favorably by the Government Administration and Elections Committee, requires the administrative services commissioner, on behalf of the DDS commissioner, to convey a separate 45 acre piece of land that is part of the parcel containing the Southbury Training School to the town of Southbury for housing purposes.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 28 Nay 0 (03/27/2013)

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 0 (04/19/2013)